



UNITED STATES PATENT AND TRADEMARK OFFICE

JAN 29 2004

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JAN 29 2004

OFFICE OF THE DIRECTOR  
TC 3600

APPLIED MATERIALS, INC.  
2881 SCOTT BLVD. M/S 2061  
SANTA CLARA, CA 95050

In re Application of :  
Ilya Perlov, et al. :  
Application No. 09/918,198 :  
Filed: July 30, 2001 :  
For: APPARATUS FOR STORING AND MOVING :  
A CASSETTE :

DECISION ON PETITION  
TO WITHDRAW THE  
HOLDING OF ABANDONMENT

This is in reply to applicant's petition to withdraw the holding of abandonment under 37 CFR 1.181, filed in the United States Patent and Trademark Office on October 6, 2003.

The petition is **DISMISSED**.

A review of the file record indicates that the application was held abandoned for failure to timely file a proper response to the Office action dated December 5, 2002 and a Notice to that effect was mailed on July 30, 2003.

Applicant has submitted as evidence of a timely response by facsimile transmission a copy of a Request for Continued Examination (RCE), a request for a three month extension of time, and an amendment to the claims with a certificate of transmission dated June 5, 2003. Also submitted is a facsimile transmission report.

The facsimile transmission report included with the petition cannot serve as proof of timely filing.

Any petition to withdraw the holding of abandonment based upon a Certificate of Transmission by facsimile must include the following requirements:

- (1) A copy of the original response bearing a signed Certificate of Transmission which includes the date of signing; and
- (2) A statement under 37 CFR 1.8(b)(3) attesting to the personal knowledge of transmitting the original response on the date indicated on the Certificate of Transmission (see 37 CFR 1.8 and MPEP 512).

The petition fails, under requirement (2), to include a statement under 37 CFR 1.8(b)(3) attesting to the personal knowledge of sending the original response by facsimile transmission on the date indicated on the certificate, by the person who signed the certificate.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(b) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition to Withdraw the Holding of Abandonment Under 37 CFR 1.81."



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SNM/cps: 1/5/03